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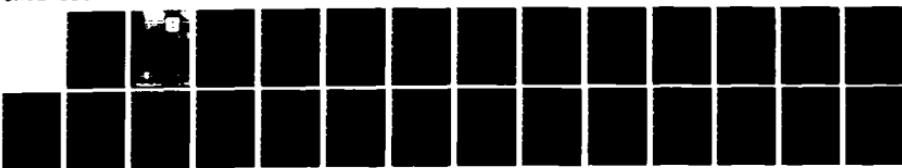
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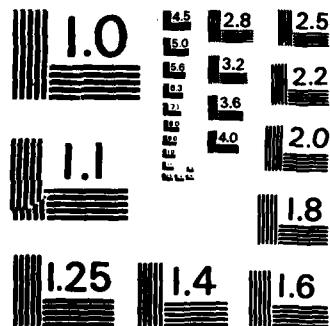
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AN ASSESSMENT OF FEMA TODAY

BY

LIEUTENANT-COLONEL PATRICK D. CONNER, FA

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USAWC MILITARY STUDIES PROGRAM PAPER

AN ASSESSMENT OF FEMA TODAY

AN INDIVIDUAL ESSAY

by

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## **ABSTRACT**

**AUTHOR(S): Patrick D. Conner, LTC, FA**

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In the summer of 1979 the emergency preparedness and management functions under the control of the General Services Administration and the Departments of Housing and Urban Development, Defense and Commerce were consolidated to form the Federal Emergency Management Agency (FEMA). This consolidation was intended to give stability and direction to the nation's cumbersome and uncoordinated emergency preparedness and emergency management processes. This essay examines the circumstances that led to FEMA's creation and the disorganization at both the executive and bureaucratic levels which have hampered the agency's development and weakened its effectiveness. It concludes that 7 years after its formation the agency appears to be on track but is still several years away from achieving the status and providing the service for which it was formed.

## AN ASSESSMENT OF FEMA TODAY

### INTRODUCTION

Creation of the Federal Emergency Management Agency in 1978 was a long overdue attempt at creating a management system that would give direction and stability to the nations' emergency preparedness and emergency management processes. In assessing the success of this attempt 7 years after the agency's creation two factors, both of which have had an influence on the still little known agency's progress and effectiveness, must be taken into account. First the fragmented and uncoordinated effort that FEMA was chartered to absorb and correct must be looked at. Second, the disarray that plagued the agency's early years of existence must also be considered. These two factors ran well beyond the normal limits of administrative problems of organizing and staffing that normally slow down the development of a new system.

### BACKGROUND

The earliest recorded Federal involvement in emergency management can be traced back to 1803 when Congress passed legislation providing assistance in the wake of a disastrous fire in Portsmouth, New Hampshire. Over the next 175 years emergency management continued to grow at the Federal level. The most visible elements of the early programs were either in response to or recovery from disasters with Congress passing separate bills to aid the victims of specific emergency situations.<sup>1</sup> During the 1930's the national policy began to include

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emergency preparedness. Passage of the Flood Control Act of 1936 was a major move in the direction of relief from natural disasters by prevention and preparedness. Both the National Relief Act and the Federal Civil Defense Act which became law during the 1950's broadened the national policy by moving more in the direction of preparedness for and management of emergency situations brought on by either war or natural disasters. With this process of legislative acts there was an accompanying process of creating new administrations and agencies to control the new programs. By the 1970's major agencies responsible for assisting victims of war and natural disasters were spread over the Department of Defense, Department of Housing and Urban Development, Department of Commerce and the General Services Administration. This often resulted in problems of interagency and intergovernmental coordination. A central point of contact did not exist at the Federal level. What had finally emerged was described as "myriad agencies housed in a conglomeration of different departments and offices."<sup>2</sup> This often led to confusion and duplication of effort at the state and local governmental levels.

By 1976 Congress was attempting to define the problems in the area of emergency preparedness and management a bit more clearly. In response to the wide held perception that the organizations and programs were at best inadequate and uncoordinated the Joint Congressional Committee on Defense Production conducted hearings on the state of emergency preparedness and management. The spectrum of programs and the agencies charged with administering them were thoroughly reviewed. Speaking for the committee in June of that year Senator William Proxmire

pronounced the nation's emergency preparedness and management effort to be one of "Dilution, proliferation, duplication and neglect."<sup>3</sup>

The joint committee recommended a sweeping reorganization of the existing emergency preparedness and emergency management programs. The Committee believed that the system could be salvaged by creating a Federal Preparedness Administration. This would be accomplished by drawing together the functions performed by the Defense Civil Preparedness Agency, the Federal Preparedness Agency and the Federal Disaster Assistance Administration. The scope of responsibility given to this new agency would be wider than wartime and natural disasters. For the first time manmade and industrial disasters along with the responsibilities for dealing with them were to be addressed. Creation of a Federal Preparedness Administration was necessary, the committee contended, to bring under one roof the

responsibility for all preparedness and relief programs or plans relating to natural disasters, nonnuclear industrial disasters, economic crisis planning, sabotage and terrorism, peacetime and nuclear accidents, civil defense, US assistance for international disaster relief and strategic stock piles, as well as overall coordination and long range planning authority for economic mobilization for defense purposes.<sup>4</sup>

And also create

. . . a single point of contact with the federal government for all state, local and private preparedness and/or relief organizations in order to facilitate the provisions of federal services to those needing them, as well as provide for improved coordination of programs, standards, et cetera, among different levels of government and types of organizations.<sup>5</sup>

The committee report thus was aimed at the very heart of the problem of intergovernmental relations, the lack of a national program with central control.

### FORMATION

The Joint Committee report received little response or action until after Jimmy Carter became President. In his quest for the White House Mr. Carter emphasized the need for governmental reorganization. He believed that government should become more efficient, more productive and more responsive. He in no way implied that this meant smaller or less expensive.<sup>6</sup> The Federal Emergency Management Agency came into being as a result of his espoused commitment to more efficient and responsive government. Early in his administration he gained authority to reorganize Cabinet Department and Federal Agencies. A provision of the Reorganization Act of 1977 allowed President Carter to have up to three Reorganization Plans before the Congress at one time. Previous Presidents had been limited to having one plan before Congress.<sup>7</sup> Mr. Carter's involvement in reorganization would be greater than any of his predecessors. During his four years in the White House he initiated a total of 11 major reorganizations. Ten of them were approved and implemented.<sup>8</sup>

At the time of signing the bill that made the Reorganization Act of 1977 law President Carter stated that his reorganization plan would

be directed by Bert Lance who shares my enthusiasm for and serious commitment to the goal of making government work better. . . . I do plan to give my personal attention and support to the entire reorganization programs.<sup>9</sup>

Bert Lance was the new Administrations Director of the Office of Management and Budget. (His first involvement in government.) He immediately recruited a staff to conduct reorganization studies. This new organization became the Presidential Reorganization Staff and was

charged with preparing recommendations and options and then to ensure follow through with the Congress.<sup>10</sup>

From his experience as Governor of Georgia, President Carter was aware of the problems of intergovernmental relations that were plaguing the area of emergency management. At the Federal level the situation was still much the same as had been described by Senator Proxmire. On the other hand, several states had moved to consolidate emergency planning, preparedness and response functions. By placing everything under one roof they were able to take advantage of the similarities in preparing for and responding to the full range of emergencies. Mr. Carter believed that the Federal Government would benefit from following the lead of the states in this area.<sup>11</sup> The reorganization authority coupled with the organized Presidential Reorganization Staff provided the proper foundation from which the problems of emergency preparedness and emergency management could be attacked. In August 1977 he directed the Presidential Reorganization Staff to carry out a study of the "federal role in preparing for and responding to natural, accidental and war time civil disasters."<sup>12</sup> The reorganizing study project was headed by Greg Schneiders the White House Director of Special Projects. He selected a special reorganization study staff of consultants and specialists with strong backgrounds in emergency preparedness and operations. The study staff members came from both the government and the private sector. The study was completed in February 1978. The problems identified by this special study and the recommended corrective actions were similar to those made by Senator Proxmire 2 years earlier.<sup>13</sup>

President Carter sent Reorganization Plan Number 3 of 1978, A Reorganization Plan to Improve Federal Emergency Management and Assistance, to Congress on June 19 of that year. The plan was intended to correct both the horizontal fragmentation that existed at the Federal level and the vertical intergovernmental confusion by unifying the key emergency management functions and making them directly accountable to the President and Congress. This would be done by merging five Agencies from the Departments of Defense, Commerce, HUD and GSA into one new Agency, the Federal Emergency Management Agency. The proposed reorganization was based on several principles:

First, Federal authorities to anticipate, prepare for, and respond to major civil emergencies should be supervised by one official responsible to the President and given attention by other officials at the highest levels.

Second, an effective civil defense system requires the most efficient use of all available resources. At the same time civil defense systems, organizations and resources must be prepared to cope with any disaster which threaten our people.

Third, whenever possible, emergency responsibilities should be extensions of the regular missions of Federal agencies. The primary task of the Federal Emergency Management Agency will be to coordinate and plan for the emergency deployment of resources that have other routine uses. There is no need to develop a separate set of Federal skills and capabilities for those rare occasions when catastrophies occur.

Fourth, Federal hazard mitigation should be closely linked with emergency preparedness.<sup>14</sup>

The reorganization plan held provisions intended to enhance the image of those responsible for the nations emergency preparedness processes. Among them was the creation of an Emergency Management Committee which would be chaired by the Director of FEMA. Committee membership would consist of the Director of the Office of Management and

Budget and the Assistants to the President for Intergovernmental Relations, National Security, and Domestic Affairs and Policy. The committee was to advise the President on "ways to meet national civil emergencies" on "alternative approaches to improve performance and avoid excessive cost" and to "oversee and provide guidance on the management of all Federal emergency authorities." The Director of FEMA would report to President Carter on all matters.<sup>15</sup> With such an arrangement emergency preparedness would no longer be buried in the myriad line administrative agencies but would have the Executive Involvement recommended by the special reorganizational study project.

By September 16, 1978, the plan had been approved by Congress. The ease of movement through Congress however was not indicative of the plan's implementation of the plan. The President attempted to keep a tight rein on the reorganization program. However, this was the fifth major reorganization that Mr. Carter had undertaken in less than two years. The personal involvement that he avowed in 1977 was competing with the other priorities of his office. Further, Bert Lance was under severe attack for alleged financial improprieties and would soon be forced to resign. The speedy action which had appointed Mr. Lance as the Director of the newly approved Reorganization Program simply was no longer in evidence. Six months elapsed before he began to activate the Federal Emergency Management Agency. On March 31, 1979, he issued Executive Order 12127 which officially activated FEMA and started the transfer of functions to the new agency. This initial step moved the US Fire Administration and the National Fire Academy for Fire Prevention Control from the Department of Commerce, the Federal Insurance Administration's federal flood, riot and crime insurance programs from

HUD, and the Federal Broadcasting System from the Office of Science and Technology.<sup>16</sup>

President Carter took the final action in creating FEMA when he issued Executive Order 12148 on July 20, 1979. Ten months after he had gained approval to do so the President established the Federal Emergency Management Council and transferred the agencies that had been of prime concern in earlier studies. The Defense Civil Preparedness Agency was moved from the Department of Defense, the Federal Preparedness Agency was moved from the General Services Administration, and HUD gave up control of the Federal Disaster Assistance Administration.<sup>17</sup>

#### ORGANIZATION PROBLEMS

With these two executive orders the President had created on paper an agency designed to meet the expectations of both the Proxmire Committee and his own special reorganization study. From the beginning the concept gave an outward appearance of consolidation. In reality the movement towards the "under one roof" concept that he had intended would not begin to develop during his term in office.

FEMA was to absorb all Federal preparedness, mitigation and response plans into a single agency thus becoming a single point of contact at the Federal level empowered to use all existing emergency resources in response to both civil defense and disaster related emergencies.<sup>18</sup> However, during the Reorganization Study the Department of Defense had argued against giving up responsibility and authority for Civil Defense. The Department had held responsibility for the Defense Civil Preparedness Agency since 1950. The arguments presented by the Secretary of Defense were based more on turf than on

quality of performance. Defense contended that the proposed consolidation

was premised on the erroneous assumption that civil defense and natural disaster preparedness activities must be operationally linked. . . . Civil Defense was related to our strategic posture of deterrence and essential equivalence . . . planning should be kept in the context of its peacetime effort . . .<sup>19</sup>

While such arguments did not stop the movement towards consolidation they did however weaken the new agency. In order to ensure that Civil Defense planning remained fully compatible with the nation's overall strategic policy, and to ensure that an effective link remained between the strategic nuclear planning and nuclear attack preparedness, the Secretary of Defense and the National Security Council retained "oversight" of the Civil Defense functions.<sup>20</sup>

The plan also left several important functions in the control of other agencies with no clear incentives to promote interagency cooperation. To name just a few the Department of Agriculture, the Federal Highway Administration and the Small Business Administration all retained operational responsibilities in disaster.<sup>21</sup>

This less than total reorganization saddled FEMA with the responsibility for coordinating the plans and use of resources but with little authority for getting the job done. Further, the agency had to deal with the lingering, sometimes overpowering, legacy of the agencies that it was absorbing. Reorganization Plan Number 3 of 1978 and its implementing Executive Orders had only designated FEMA as the central point for emergency management. The how and when of the consolidation was not specified. The agencies that were being absorbed had both distinctly established identities and well entrenched operational

procedures. They were separated geographically and would remain so until 1981.<sup>22</sup> The political separations were even greater. Congressional committees which held jurisdiction over the functions that were absorbed by FEMA continued to retain the control. Four separate authorization committees in both the House and the Senate held jurisdiction over the FEMA programs.<sup>23</sup> A true "FEMA Identity" could not be established.

The outward lack of identity which the agency endured during the first 3 years of its existence was overshadowed internally by a leadership void. The agency was virtually leaderless. President Carter did not name a Director until May 1979, 9 months after Congress approved the organization of FEMA.<sup>24</sup> During the next 2 years while contending with such major disasters as Three Mile Island, the eruption of Mount Saint Helen, the Love Canal environmental disaster, and the Cuban refugee problem, the top eight headquarters positions, those of Director, Deputy Director, and six Associate Directors, were occupied by 37 different managers.<sup>25</sup>

During this period each major subunit continued to operate independently with little direction from the top. Under such conditions an agency-wide management system could not develop and major organizational insufficiencies began to surface. A mission statement was not written for FEMA. In lieu of a single statement the agency relied on the laws, executive orders and Presidential Directives that had been the basis for its establishment. Accordingly the mission became spread among 15 laws and 15 executive orders.<sup>26</sup> As such goals and objectives that would facilitate long-range, or even short-range, planning were either ineffective or did not exist. The lack of proper

direction was reflected by FEMA's first Director, John W. Macey, when in October 1980 when he described the other elements of the new agency's comprehensive mission as being "in addition to, and related to, Civil Defense."<sup>27</sup>

#### FEMA IDENTITY

Firm "FEMA Identity" began to emerge after President Reagan appointed Louis O. Guiffrida to the position of Director in 1981. (Mr. Guiffrida held that position until December 1984, the longest run of any FEMA top official.) Mr. Guiffrida realized that if FEMA was to achieve the centralized concept that President Carter had in mind when he directed creation of the agency he must first have organizational solidarity. That could not be realized until there was a generally accepted idea of what was to be done. A defined mission with stated goals had to be developed. In August he initiated a top management team building program and by the following July, 4 years after President Carter had requested authority to form the agency, the following FEMA-wide mission statement was developed and approved.

Under the direction of the President, to assist in all preparedness activities of the Federal, State and local governments in protecting the civilian population and resources of the nation and in preserving the continuity of constitutional government in time of emergencies. Develop programs and preparedness activities for mitigation of, response to, and recovery from major peacetime and wartime, emergencies. Within the Presidential guidelines, participate in bilateral and multilateral arrangements concerning civil emergency preparedness planning.<sup>28</sup>

This mission statement with its accompanying broad organizational goals which reflected an interest on national and civil preparedness goals and objectives that were in keeping with the recommendations made

by both the Presidential Reorganization Staff and earlier by the Joint Congressional Committee on Defense Production. This set the stage for the most bold step towards establishing a significant coordinating influence at the Federal level. The Federal Emergency Management Agency, in October 1981, began to pull together into one directorate all of the systems under its control that supported state and local governments. This new directorate, called the Integrated Emergency Management System (IEMS) would cover the entire spectrum of emergency preparedness and emergency management. This new rational management system was to deal with the four basic components of emergency and hazard situations. Those components being mitigation, preparedness, response and recovery. Briefly, mitigation involves long-term activities taken that reduce the risk to life and property from natural and manmade disasters. Preparedness activities are those that develop abilities for responding to emergencies. Unlike mitigation the thrust of preparedness is to be ready for disasters that will probably occur. Such activities include emergency operations plans, warning systems, mutual aid agreements and training exercises. Response, on the other hand, deals with immediate clear and present dangers. These activities take place just before, during and immediately after the emergency to save lives and minimize damage. Recovery includes the short-term restoration of life support systems to the minimum standards and the long-term activities of cleaning up, rebuilding and returning life to normal.<sup>29</sup>

IEMS operates on the premise that there are certain functions in each of these components that are common to all disasters and emergency situations, and a rational management system should take advantage of

those commonalities. The range of hazards, emergencies and disasters included can be any hurricane, flood, earthquake, drought, landslide, snowstorm, fire explosion, technological disaster (such as the release of hazardous materials) and nuclear attack. Identifying these common characteristics makes it possible to have a single, flexible system capable of responding to many kinds of hazards.<sup>30</sup> State and local governments then have to deal only with the elements which are unique to their area or specific emergency situations. This broad multihazard approach to accomplishing emergency management objectives effectively moves Civil Defense from the centerpiece of activity position that it once held and into a position that allows it to be considered with all other activities.

Further IEMS sees all four components of emergency management as being applicable throughout the intergovernmental system. However, the extent and nature of involvement will differ at each level. All disasters and emergencies involve local governments. Typically those governments are concerned with the safety and protection of the public. The emphasis is normally centered on response and recovery with minor resources being devoted to preparedness. At the state level primary concern is still focused on response and recovery. However, activity is weighted a little more heavily towards preparedness issues. In the hierarchy of emergency management FEMA, at the national level, does not respond directly to or recover from disasters. Rather the agency's efforts are directed towards ensuring that state and local governments develop the necessary programs of preparedness and mitigation as well as response and recovery. The multihazard approach taken through the IEMS recognizes the importance of state and local governments in

accomplishing the FEMA mission. Predisaster FEMA activity centers on persuading state and local governments to institute mitigation and preparedness measures.<sup>31</sup> To date, other than in the area of flood plain management, FEMA has had little success in creating incentives (or sanctions) to entice those governments to act. The problem being that until the disaster occurs these activities have little prominence.<sup>32</sup>

The most severe criticism leveled at FEMA and its integrated management approach has been related to the lack of success in mitigation and preparedness. The question appears to be one of the extent to which FEMA will be able to achieve a coordinated effort in these areas. The General Accounting Office (GAO) has recommended that FEMA become more aggressive in bringing the states in line with Federal objectives. Such state compliance, GAO contends is long overdue and well within FEMA's capacity to achieve. For example Emergency Management Assistance (EMA) Funds had been administered by the Department of Defense for 10 years prior to being placed under FEMA's control in 1979. The executive summary of a 1980 GAO report concluded that most state and local governments had not developed procedures for implementing the tasks assigned to them but were still receiving EMA funds. Further, where they did exist local plans often were not compatible with state or national plans. Likewise, program analysis of both the National Earthquake Act and the Natural Disaster Relief Act concluded that the mitigation and preparedness components of emergency management were woefully inadequate.

The solution recommended by the GAO was tied to compliance with the already existing well-developed criteria. By making performance in accordance with these established standards a requirement for

qualifying for annual funding FEMA could ensure that state and local governments would fall in line to support and meet national objectives.<sup>33</sup> FEMA does not see such a "carrot and stick" approach as being a productive approach to long-term results. The factors that must be resolved in dealing with the state and local governments are well beyond the agency's realm of influence. Primarily, according to FEMA, jurisdictions do not participate in particular aspects of federal emergency management programs because higher political priorities confront the local administrators. Next, they are against using Federal funds. Philosophically, they simply do not believe in emergency management. And finally, they simply do not have the matching funds required to participate.<sup>34</sup> Any attempt by FEMA to dictate changes that would increase requirements in the face of any one of the aforementioned factors would only produce frustration.

Ideally, a partnership between FEMA and the state agencies and organizations would be the relationship that would make IMES most effective. FEMA would provide the technical and financial assistance along with guidance for developing emergency capabilities. States would provide the effort and expertise necessary to see that the prescribed activities are accomplished at each level. In reality such a relationship is not possible. Most preparedness programs have a matching funds arrangements. The different local governments within a state tend to allocate resources in terms of what is locally the most compelling of the demands being faced by the community. Therefore, all jurisdictions within the state most likely will not participate at the same level. The problem faced by FEMA in the relationship that does exist involves decisions on how to achieve a balance between the

priorities of emergency preparedness activities and the resources available to carry them out. The necessity for FEMA to rely on persuasion has led the state to view the communications from that agency to be more suggestive than directive. FEMA, through IEMS, has not dictated to the states which projects must be completed. The only requirement that has been enforced involves accounting for funds. States are required to maintain systems and records that accurately account for how all funds, both Federal and matching state funds are used to accomplish national and locally developed objectives.<sup>35</sup> The programs adopted are, in turn, in keeping with broad national preparedness objectives and program interest but are keyed more to local desires and objectives. As a rule in establishing these local objectives the mitigation and preparedness components are dealt with as hypothetical situations. The type hazards can be identified in general terms. The location, time, intensity and magnitude cannot be predicted with any great frequency or accuracy. Politically it is often deemed more acceptable to gamble that such emergencies will not occur than it is to incur the long-term cost of emergency preparedness. In essence the eventual cost of natural disasters is discounted in order to meet the always pressing immediate demands for existing personnel and resources.<sup>36</sup> Achieving noticeable improvements in the quality of emergency preparedness shall remain remote so long as such perceptions exist. The unmet challenge in this area that FEMA faces is to, with little direct authority, obtain state and local action in each of the components of emergency management which are consistent with FEMA's plans and goals. In doing this the agency must devise relationships and

initiatives that will encourage state and local governments to integrate the IEMS into the intergovernmental system.<sup>37</sup>

#### CONCLUSION

*The focus of the paper is on the evolution of IEMS.*  
FEMA did not come into existence as a new administration. Rather this agency was created to provide controls for the patchwork of fragmented operations spread over many agencies. The situation was the natural product of the evolution of government policy from an exclusive distribution orientation, providing aid to victims, to one that gives equal emphasis to both planning and mitigation. Within FEMA the evolution of IEMS is a movement towards an integrated approach to the management of the full spectrum of emergencies, hazards and disasters. IEMS stresses using the resources available to all agencies in dealing with the elements common to all emergency related situations. There is general satisfaction that the under-one-roof concept being pursued here that IEMS is leading to will, if allowed to continue, eventually meet the mandate to create a national capacity to assist state and local governments in dealing with natural and manmade disasters. However, to date, most of the programs have either not been fully implemented or have met with only limited success. The comprehensive emergency management program still has a long way to go. Perhaps it will take another 25 years for it to evolve to the point of meeting the original Presidential Mandate<sup>38</sup>.

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36. Clary, p. 24.

37. Mushkahl, p. 53.

38. The New York Times, 6 January 1984, see iv, p. 12, col. 4 and "We Are Better Prepared For Tomorrow's Disasters," U.S. News and World Report, 19 March 1984, p. 59.

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